



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WESTERN REGIONAL OFFICE

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DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

IAN A. BOWLES
Secretary

LAURIE BURT
Commissioner

April 17, 2009

Ida McDonnell, CAP
USEPA Region 1
1 Congress Street – Suite 1100
Boston, Massachusetts 02114-2023

Re: FINAL OPERATING PERMIT
Appl. #1-O-08-009; Trans. # W206629

At: Holyoke Gas & Electric
Cabot Street Station
102 Cabot Street
Holyoke, MA 01040

Dear Ms. McDonnell:

In accordance with 310 CMR 7.00 – APPENDIX C (6) of the Air Pollution Control Regulations ("the Regulations"), the Department of Environmental Protection ("MassDEP") is forwarding to EPA the attached Final Operating Permit Renewal for the City of Holyoke Gas & Electric facility located on 102 Cabot Street in Holyoke, Massachusetts.

Public notice of the Draft Operating Permit was published by MassDEP in the Springfield Union News / Sunday Republican on November 4, 2008 and in the Environmental Monitor on November 10, 2008, in accordance with the requirements of 310 CMR 7.00: Appendix C. As such, the public comment period ended on December 10, 2008. During that period, no public hearing was requested pursuant to 310 CMR 7.00: Appendix C (6)(f). Several minor comments were received from MassDEP, which were incorporated into the Proposed Operating Permit.

On December 23, 2008 MassDEP forwarded to EPA Region 1, via electronic mail, the Proposed Operating Permit for this facility. EPA did not object or comment on the Proposed Operating Permit, nor did EPA receive a petition to object to the Proposed Operating Permit within the regulatory deadlines. Therefore, MassDEP is issuing the Final Operating Permit.

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 866-539-7622 or 617-574-6868.

DEP on the World Wide Web: <http://www.mass.gov/dep>

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The attached Final Operating Permit contains all of the federal and state air pollution control requirements, to which the facility is subject, and the terms and conditions for compliance with such applicable requirements.

If you have any questions concerning this Final Operating Permit, please contact Todd Wheeler at (413) 755-2297.

Sincerely,

This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.

Marc Simpson
Permit Chief
Western Region

BWP/bwp

cc; Tim Shannon, Superintendent
Gas & Steam Division
City of Holyoke Gas & Electric Department
99 Suffolk Street
Holyoke, MA 01040-5082

Ecc: Karen Regas, MassDEP, Boston
Yi Tian, MassDEP, Boston

Roberta Baker, MassDEP, WERO
Peter Czapienski, MassDEP, WERO



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AIR QUALITY OPERATING PERMIT

Issued by the Massachusetts Department of Environmental Protection ("MassDEP") pursuant to its authority under M.G.L. c. 111, §142B and §142D, 310 CMR 7.00 et seq., and in accordance with the provisions of 310 CMR 7.00: Appendix C.

ISSUED TO ["the Permittee"]:

City of Holyoke
Gas & Electric Department
Holyoke, MA 01040-5082

INFORMATION RELIED UPON:

Application No. 1-O-08-009
Transmittal No. W206629

FACILITY LOCATION:

Cabot Street Station
102 Cabot Street
Holyoke, MA 01040

FACILITY IDENTIFYING NUMBERS:

AQ ID No. 0420038
FMF FAC No. 130899
FMF RO No. 50018

NATURE OF BUSINESS: Electric power generation and the production of steam for local industry.

SIC Code: 4931

RESPONSIBLE OFFICIAL:

Name: Tim Shannon
Title: Superintendent, Gas & Steam Division
Phone: (413) 536-9346

FACILITY CONTACT PERSON:

Name: Tim Shannon
Title: Superintendent, Gas & Steam Division
Phone: (413) 536-9346

This operating permit shall expire on April 17, 2014.

For MassDEP of Environmental Protection, Bureau of Waste Prevention

This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.

Michael Gorski
Regional Director
Department of Environmental Protection
Western Regional Office

April 17, 2009
Date

TABLE OF CONTENTS

Section	Special Conditions for Operating Permit	Page No.
1	Permitted Activities	3
2	Emission Unit Identification - Table 1	3
3	Identification of Exempt Activities - Table 2	4
4	Applicable Requirements	5
	A. Emission Limits and Restrictions - Table 3	5
	B. Compliance Demonstration	7
	- Monitoring/Testing Requirements - Table 4	7
	- Recordkeeping Requirements - Table 5	9
	- Reporting Requirements - Table 6	11
	C. General Applicable Requirements	11
	D. Requirements Not Currently Applicable - Table 7	11
5	Special Terms and Conditions	12
6	Alternative Operating Scenarios	12
7	Emissions Trading	12
8	Compliance Schedule	13
Section	General Conditions for Operating Permit	Page No.
9	Fees	14
10	Compliance Certification	14
11	Noncompliance	15
12	Permit Shield	15
13	Enforcement	16
14	Permit Term	16
15	Permit Renewal	16
16	Reopening for Cause	16
17	Duty to Provide Information	17
18	Duty to Supplement	17
19	Transfer of Ownership or Operation	17
20	Property Rights	17
21	Inspection and Entry	17
22	Permit Availability	18
23	Severability Clause	18
24	Emergency Conditions	18
25	Permit Deviation	19
26	Operational Flexibility	20
27	Modifications	20
28	Legend of Abbreviated Terms in Operating Permit	21

	Appeal Conditions for Operating Permit	22
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SPECIAL CONDITIONS FOR OPERATING PERMIT

1. PERMITTED ACTIVITIES

In accordance with the provisions of 310 CMR 7.00: Appendix C and applicable rules and regulations, the Permittee (Holyoke Gas and Electric, hereinafter "HG&E") is authorized to operate the air emission units as shown in Table 1 and exempt and insignificant activities as described in 310 CMR 7.00: Appendix C(5)(h) and (i). The units described in Table 1 are subject to the terms and conditions shown in Sections 4, 5, and 6 and to other terms and conditions as specified in this permit. Emissions from the exempt activities shall be included in the total facility emissions for the emission-based portion of the fee calculation described in 310 CMR 4.00 and this permit.

DESCRIPTION OF FACILITY AND OPERATIONS

Holyoke Gas & Electric's (HG&E) Cabot Street Station, located at 102 Cabot Street, Holyoke, is a municipality owned steam generation facility classified under standard industrial code (SIC) 4931 – Electric and other services combined. Cabot Street Station currently houses three boilers capable of firing both natural gas and fuel oil. EU 1 is a 249 MMBtu/hr Riley Stoker Boiler with a maximum steam load capacity of 190,000 #/hr. EUs 7 & 8 are identical 115MMBtu/hr English Boilers with a maximum steam load capacity of 80,000 #/hr. EUs 7&8 are equipped with Todd ultra low NOX burners and incorporate 15% flue gas recirculation (FGR).

The facility is primarily engaged in providing electric services in combination with other services, such as steam generation, with electric services as the major part though less than 95 percent. The facility is owned and operated by the city of Holyoke.

Table 1 lists the equipment (emission units or EUs) subject to this Operating Permit. Table 2 describes the exempt activities that are not mentioned further in the Operating Permit. Tables 3, 4, 5 and 6 describe the applicable requirements that the EUs are subject to in the Operating Permit.

2. EMISSION UNIT IDENTIFICATION

The following emission units (Table 1) are subject to and regulated by this operating permit:

Table 1			
EU	Description of EU	EU Design Capacity	Pollution Control Device
EU 1	Riley Stoker Boiler	249 MMBtu/hr	Cyclonic Dust Collector
EU 7	English Boiler	115 MMBtu/hr	none
EU 8	English Boiler	115 MMBtu/hr	none

3. IDENTIFICATION OF EXEMPT ACTIVITIES

The following are considered exempt activities in accordance with the criteria contained in 310 CMR 7.00: Appendix C(5)(h):

Table 2	
Description of Current Exempt Activities	Reason
The list of current exempt activities is contained in the Operating Permit application and shall be updated by the Permittee to reflect changes at the facility over the permit term. An up-to-date copy of exempt activities list shall be kept on-site at the facility and a copy shall be submitted to the MassDEP's Regional Office. Emissions from these activities shall be reported on the annual emissions statement pursuant to 310 CMR 7.12.	310 CMR 7.00:Appendix C(5)(h)

4. APPLICABLE REQUIREMENTS

A. EMISSION LIMITS AND RESTRICTIONS

The Permittee is subject to the emission limits/restrictions as contained in Table 3 below:

Table 3					
EU#	Fuel or Raw Material	Restrictions	Pollutant	Emission Limit/Standards	Applicable Regulation and/or Approval No.
EU 1	natural gas or No. 6 fuel oil	None	PM ⁽¹⁾	0.12 lb/MMBtu	310 CMR 7.02(8)
			NO _x ⁽²⁾	0.30 lb/MMBtu	310 CMR 7.19(4)(a)4.a. Approval No. 1-B-94-019
			CO ⁽²⁾	200 ppmvd @ 3% O ₂	310 CMR 7.19(4)(f), Approval No. 1-B-94-019
			Smoke	No. 1 of the Chart no more than 6 minutes during any one hour, at no time to exceed No. 2 of the Chart	310 CMR 7.06(1)(a)
			Opacity	≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour	310 CMR 7.06(1)(b)
			S in fuel	≤ 0.55 lb/MMBtu	310 CMR 7.05(1).
EU 7, EU 8 ⁽³⁾	natural gas	998 Million ⁽⁴⁾ Standard Cubic Feet Natural Gas	PM ⁽¹⁾	0.0075 lbs/MMBtu	Approval No. 1-B-02-006
			NO _x	0.011 lbs/MMBtu	Approval #1-B-02-006
			CO	0.020 lbs/MMBtu from 25% to 100% load 0.075 lbs/MMBtu at loads < 25%	Approval #1-B-02-006
			VOC	0.0012 lbs/MMBtu	Approval #1-B-02-006
			Opacity	≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour	310 CMR 7.06(1)(b), Approval #1-B-02-006

Table 3					
EU#	Fuel or Raw Material	Restrictions	Pollutant	Emission Limit/Standards	Applicable Regulation and/or Approval No.
EU 7 and EU 8 (cont)	No. 2 fuel oil	1,242,000 ⁽⁴⁾ gallons	PM ⁽¹⁾	0.04 lbs/MMBtu	Approval #1-B-02-006
			NO _x	0.10 lbs/MMBtu	Approval #1-B-02-006
			CO	0.075 lbs/MMBtu from 25% to 100% load 0.20 lbs/MMBtu at loads < 25%	Approval #1-B-02-006
			VOC	0.0040 lbs/MMBtu	Approval #1-B-02-006
			S in fuel	0.05% by weight	Approval #1-B-02-006
			Opacity	≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour	310 CMR 7.06(1)(b), Approval #1-B-02-006

Notes for Table 3:

- (1) Particulate matter as measured according to the applicable procedures specified in 40 CFR Part 60 Appendix A, Method 5, based on a one-hour average.
- (2) Based on a one hour average.
- (3) EU 7 and EU 8 are subject to 40 CFR 60 Subpart Db.
- (4) Maximum total fuel use per both boilers in any rolling twelve (12) consecutive calendar month period.

The permittee is subject to the monitoring/testing, record keeping, and reporting requirements as contained in Tables 4, 5, and 6 below and 310 CMR 7.00 Appendix C (9) and (10), and applicable requirements as outlined in Table 3, unless otherwise specified below:

Table 4	
EU#	MONITORING/TESTING REQUIREMENTS
EU1, EU 7, and EU 8	(1) In accordance with 310 CMR 7.04(4)(a), HG&E shall inspect and maintain each boiler in accordance with the manufacturer's recommendations and test each boiler for efficient operation once each calendar year.
EU 1	(2) In accordance with 310 CMR 7.19(13)(a)2. and MassDEP Approval #1-B-94-019, HG&E shall conduct stack testing for NOx and CO annually before October 1 of each year as specified in 310 CMR 7.19(13)(c) and in accordance with the EPA Method 7E for NOx and Method 10 for CO.
	(3) In accordance with 310 CMR 7.19(13)(c) and MassDEP Approval #1-B-94-019, HG&E shall <ul style="list-style-type: none"> a. submit a pretest protocol for the NOx and CO testing for review and written MassDEP approval at least 60 days prior to the anticipated date of testing, and b. include in the pretest protocol a description of the sampling point locations, sampling equipment, sampling and analytical procedures, and the operating conditions for the required testing
	(4) In accordance with 310 CMR 7.19(13)(d)5. & 6. and 310 CMR 7.00 Appendix C(9)(b), HG&E shall monitor nitrogen content of each new shipment of oil received by maintaining a shipping receipt from the fuel supplier (<u>shipping receipt certification</u>) or through testing (<u>testing certification</u>). The <u>shipping receipt certification</u> or <u>testing certification</u> of nitrogen content shall document that nitrogen content testing has been done in accordance with the applicable ASTM test methods (method D3228 or D4629) or by any other method approved by MassDEP and EPA.
	(5) In accordance with 310 CMR 7.04(2)(a), HG&E shall, while burning any grade oil or solid fuel, ensure each boiler stack is equipped with a smoke density sensing instrument, recorder, and audible alarm which sounds when the smoke density is \geq No. 1 of the Chart.
	(6) In accordance with 310 CMR 7.00 Appendix C(9)(b), HG&E shall monitor sulfur content of each new shipment of oil received. Compliance with % sulfur-in-fuel requirements can be demonstrated by maintaining a shipping receipt from the fuel supplier (<u>shipping receipt certification</u>) or through testing (<u>testing certification</u>). The <u>shipping receipt certification</u> or <u>testing certification</u> of % sulfur-in-fuel shall document that sulfur testing has been done in accordance with the applicable ASTM test methods (D129-95, D1266-91, D1552-95, D2622-92, and D4294-90), or any other method approved by MassDEP and EPA.
EU 7 and EU 8	(7) In accordance with Approval #1-B-02-006 and 40 CFR Part 60.48b, HG&E shall install, calibrate, test and operate a continuous opacity monitor system (COMS) to measure and record opacity. These records shall be maintained at the facility.
	(8) In accordance with Approval #1-B-02-006 and 40 CFR 60.48b, HG&E shall operate the COMS at all times except for periods of calibration checks, zero and span adjustments, preventative maintenance, and periods of unavoidable malfunction.
	(9) In accordance with Approval #1-B-02-006 and 40 CFR 60.48b, HG&E shall obtain and record emission data from the COMS for at least 75% of the emission unit's operating hours per day, for at least 75% of the emission unit's operating hours per month, and for at least 95% of the emission unit's operating hours per quarter, except for periods of COMS calibration checks, zero and span adjustments, and preventive maintenance.
	(10) In accordance with Approval #1-B-02-006, HG&E shall install, maintain and operate fuel flow meters to monitor the quantity of fuel consumed (natural gas and oil). The number and location of the fuel flow meters shall be such that compliance with the limits in Table 3 can be determined.

Table 4	
EU#	MONITORING/TESTING REQUIREMENTS
EU 7 and EU 8 (cont)	(11) In accordance with 40 CFR 60.48b(b), HG&E shall monitor emissions of nitrogen oxides.
	(12) In accordance with 40 CFR 60.49b(d), HG&E shall calculate an annual capacity factor on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.
Facility wide	(13) In accordance with 310 CMR 7.13, HG&E shall conduct stack testing, upon written request of MassDEP, for any air contaminant for which MassDEP has determined testing is necessary, to ascertain compliance with MassDEP's regulations or design approval provisos. All such testing shall be conducted in accordance with 310 CMR 7.13 (1) and (2), and in accordance with the applicable procedures specified in 40 CFR 60 Appendix A or other method(s) if approved by MassDEP and EPA.
	(14) Emissions Compliance Testing (Stack Testing), shall be performed in accordance with 310 CMR 7.13, and 40 CFR Part 60, Appendix A (Method 7E for oxides of nitrogen (NO _x), Method 6C for sulfur dioxide (SO ₂), Method 10 for carbon monoxide (CO), Methods 1 to 5 for TSP, Method 3A for Oxygen (O ₂), Method 9 for opacity, or any other test method approved by MassDEP or EPA). Prior to Stack Testing, appropriate testing ports shall be constructed so as to accommodate the requirements as stipulated in 40 CFR Part 60, Appendix A.
	(15) HG&E shall monitor operations such that information may be compiled for the annual preparation of a Source Registration/Emission Statement Form as required by 310 CMR 7.12.

Table 5	
EU#	RECORDKEEPING REQUIREMENTS
EU 1, EU 7 and EU 8	(1) In accordance with 310 CMR 7.04(4)(a), HG&E shall post conspicuously, on or near the boiler, the results of the annual boiler inspection, maintenance, and testing.
	(2) In accordance with 310 CMR 7.04(2)(a) and 310 CMR 7.00: Appendix C(10)(b), HG&E shall maintain records of smoke density recording charts for a period of five years from the date of use.
EU 1	(3) In accordance with 310 CMR 7.19(13)(d)3., HG&E shall measure and record for each boiler on a daily basis; the type fuel(s) burned, the heat content of each fuel, the total heating value of the fuel consumed, and the allowable emission rate.
	(4) In accordance with 310 CMR 7.19(13)(d)7. & 8., HG&E shall maintain copies of all fuel certifications or fuel oil analyses on-site for 5 years.
	(5) In accordance with the requirements of 310 CMR 7.19(13)(d)5. & 6., HG&E shall obtain certification from the fuel supplier for each shipment of residual oil.
	(6) In accordance with DEP Approval #1-B-94-019, HG&E shall obtain certification of %S from the fuel supplier for each shipment of residual oil.
EU 7 and EU 8	(7) In accordance with Approval #1-B-02-006, HG&E shall obtain certification from the fuel supplier for each shipment of fuel oil that includes the following information: <ul style="list-style-type: none"> a) The name of the oil supplier b) Percent sulfur content (by weight); and c) The location where the sample was drawn for analysis to determine the sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility or whether the sample was drawn from oil in storage at the oil supplier's or oil refiner's facility or other location. As an alternative, HG&E may elect to analyze the oil immediately after the fuel tank is filled and before any oil is combusted for each new shipment according to methods approved in writing by MassDEP.
	(8) In accordance with Approval #1-B-02-006, all records shall be maintained up-to-date such that year-to-date information is readily available for Department examination. Record keeping shall, at a minimum, include: <ul style="list-style-type: none"> a) The initiation and completion dates for the proposed construction. b) Fuel usage log including, at a minimum, dates when #2 fuel oil was burned and rolling 12 month fuel usage totals to demonstrate compliance with fuel use limits listed in Table 3. c) Maintenance - A record of routine maintenance activities including, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed. d) Malfunctions - A record of all malfunctions including, at a minimum: the date and time the malfunction occurred; a description of the malfunction and the corrective action taken; the date and time corrective actions were initiated; and the date and time corrective actions were completed and the facility returned to compliance.
	(9) In accordance with Approval #1-B-02-006, HG&E shall generate monthly reports in-house that document fuel use and compliance with Table 3. If any limits are exceeded, HG&E shall notify MassDEP in writing no later than the 15 th day of the following month.

Table 5	
EU#	RECORDKEEPING REQUIREMENTS
EU 7 and EU 8 (cont)	<p>(10) In accordance with 40 CFR 60.49b(g), HG&E shall maintain records of the following information for each steam generating unit operating day:</p> <ol style="list-style-type: none"> (1) Calendar date. (2) The average hourly nitrogen oxides emission rates (expressed as NO₂)(ng/J or lb/million Btu heat input) measured or predicted. (3) The 30-day average nitrogen oxides emission rates (ng/J or lb/million Btu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly nitrogen oxide emission rates for the preceding 30 steam generating unit operating days. (4) Identification of the steam generating unit operating days when the calculated 30-day average nitrogen oxides emission rates are in excess of the nitrogen oxides emissions standards under 40 CFR 60.44b, with the reasons for such excess emissions as well as a description of corrective actions taken. (5) Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken. (6) Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data. (7) Identification of "F" factor used for calculations, method of determination, and type of fuel combusted. (8) Identification of the times when the pollutant concentration exceeded full span of the continuous monitoring system. (9) Description of any modifications to the continuous monitoring system that could affect the ability of the continuous monitoring system to comply with Performance Specification 2 or 3. (10) Results of daily CEMS drift tests and quarterly accuracy assessments as required under Appendix F, procedure 1.
Facility-Wide	(11) In accordance with 310 CMR 7.00 Appendix C(10)(b), HG&E shall maintain records of all monitoring data and supporting information on-site for a period of at least five years from the date of the monitoring sample, measurement, report or initial operating permit application.
	(12) In accordance with 310 CMR 7.12(3)(b), copies of source registration and other information supplied to the MassDEP to comply with 310 CMR 7.12, shall be retained by HG&E for five years from the date of submittal.

Table 6	
EU #	REPORTING REQUIREMENTS
EU 1	(1) In accordance with 310 CMR 7.19(13)(d), HG&E shall submit compliance records within 10 days of written request by MassDEP or EPA.
	(2) In accordance with 310 CMR 7.19(13)(c), HG&E shall submit the emission test report for the review and written Department approval within 60 days of the completion of the annual compliance stack testing.
EU 7 and EU 8	(3) In accordance with 40 CFR 60.49b(r), HG&E shall obtain and maintain at the affected facility fuel receipts from the fuel supplier which certify that the oil meets the definition of distillate oil as defined in 60.41b. Reports shall be submitted to the Administrator certifying that only very low sulfur oil meeting this definition was combusted in the affected facility during the reporting period.
Facility Wide	(4) In accordance with 310 CMR 7.12(2)(a), HG&E shall submit a Source Registration/Emission Statement form signed by a Responsible Official to MassDEP by April 15 th of each year.
	(5) In accordance with 310 CMR 7.00 Appendix C(10)(c), HG&E shall submit to MassDEP two summaries (one by January 30 for the time period July—December of the previous calendar year, and the other by July 30 for the time period January—June of the current calendar year) of all monitoring data and related supporting information, corresponding to items in Table 4 of this Operating Permit.
	(6) In accordance with 310 CMR 7.13(1)(d), HG&E shall submit to MassDEP any stack test results for stack testing required by MassDEP within such time as agreed to in the approved test protocol.
	(7) In accordance with 310 CMR 7.00 Appendix C(5)(b)9., HG&E shall submit annually a certification that the facility is maintaining the required records to assure the facility is in compliance with the applicable requirements designated in this permit.
	(8) In accordance with 310 CMR 7.00 Appendix C(10)(a), HG&E shall submit to MassDEP any record relevant to this operating permit or to the emissions of any air contaminant from the facility within 30 days of the request by MassDEP.
	(9) In accordance with 310 CMR 7.00 Appendix C(10)(f), HG&E shall report to MassDEP all instances of deviations from the permit requirements specified herein in accordance with Section 25 of this permit. This report shall include the deviation itself, including those attributable to upset conditions (as defined herein), the probable cause of the deviation, and any corrective actions or preventive measures taken.

C. GENERAL APPLICABLE REQUIREMENTS - The Permittee shall comply with all general applicable requirements contained in 310 CMR 7.00 et. seq. and 310 CMR 8.00 et. seq., when subject.

D. REQUIREMENTS NOT CURRENTLY APPLICABLE - The Permittee is currently not subject to the following requirements, as outlined in Table 7 below:

Table 7	
Regulation	Reason
310 CMR 7.16: Reduction of Single Occupant Commuter Vehicle Use	not applicable
Clean Air Act Section 112(r): Prevention of Accidental Releases	Facility does not store/use/process any of the listed compounds in quantities greater than thresholds.
40 CFR Part 64 Compliance Assurance Monitoring	not applicable
40 CFR Part 82 stratospheric ozone	not applicable
Section 112(d) of the Clean Air Act	not applicable

5. SPECIAL TERMS AND CONDITIONS

The permittee is subject to the following special terms and conditions:

1. In accordance with MassDEP approval #1-B-94-019, HG&E will operate EU 1 in compliance with the applicable NOx and CO standards by installing air flow distribution vanes to balance air flow within the combustion chamber.
2. In accordance with 310 CMR 7.19 and MassDEP approval #1-B-94-019, HG&E has permanently derated EU 1 from 338 MMBtu/hour to 249 MMBtu/hour, thereby eliminating the requirement for continuous NOx emission monitoring and triggering annual NOx emission stack testing. The changes necessary to derate the boiler included the following:

- a. Oil Firing (Based on #6 oil containing 1.0% sulfur by weight, with a heat content of 147,000 Btu/gallon, and with a density of 7.7 lb/gallon)

In accordance with MassDEP approval #1-B-94-019, HG&E installed four new burner tips and plugs, each to deliver 3,260 pounds of #6 fuel oil per hour. The maximum oil pressure does not exceed 97 psig. A Cashco type 123 - 1 + 33 back pressure regulator has been installed and field-set to relieve at any pressure exceeding 97 psig (oil pressures at which energy input exceeds 249 MMBtu/hour). The spring cover cap has been tack welded to prevent unauthorized tampering with the oil pressure setting.

- b. Gas Firing (Based on a natural gas energy content of 1050 Btu/scf)

In accordance with MassDEP approval #1-B-94-019, HG&E has plugged four (4) of forty-four holes on each of the four gas heads. A maximum regulated pressure of 13 psig delivers 59,285 scf/hr to the gas heads.

3. In accordance with MassDEP approval 1-B-02-006, HG&E shall not burn #2 fuel oil in EU 7 and 8 between the dates of May 1 and September 30 inclusive when natural gas is available.

6. ALTERNATIVE OPERATING SCENARIOS

There are no proposed or approved alternative operating scenarios for this facility.

7. EMISSIONS TRADING

- A. Intra-facility emission trading

The facility did not request intra-facility emissions trading in its operating permit application.

Pursuant to 310 CMR 7.00: Appendix C(7)(b), emission trades, provided for in this permit, may be implemented provided the Permittee notifies the United States Environmental Protection Agency (EPA) and MassDEP at least fifteen days in advance of the proposed changes and the Permittee provides the information required in 310 CMR 7.00: Appendix C(7)(b)3.

Any intra-facility change that does not qualify pursuant to 310 CMR 7.00: Appendix C(7)(b)2. is required to be submitted to MassDEP pursuant to 310 CMR 7.00: Appendix B.

B. Inter-facility emission trading

The Permittee did not request inter-facility emissions trading in its operating permit application.

All increases in emissions due to emission trading must be authorized under the applicable requirements of 310 CMR 7.00: Appendix B (the "Emissions Trading Program") and the 42 U.S.C. §7401 et. seq. (the "Act"), and provided for in this permit.

8. COMPLIANCE SCHEDULE

The Permittee has indicated that the facility is in compliance and shall remain in compliance with the applicable requirements contained in Sections 4 and 5.

In addition, the Permittee shall comply with any applicable requirements that become effective during the permit term.

GENERAL CONDITIONS FOR OPERATING PERMIT

9. FEES

The Permittee has paid the permit application processing fee and shall pay the annual compliance fee in accordance with the fee schedule pursuant to 310 CMR 4.00.

10. COMPLIANCE CERTIFICATION

All documents submitted to MassDEP shall contain certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in compliance with 310 CMR 7.01(2) and contain the following language:

"I certify that I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment."

The "Operating Permit Reporting Kit" contains instructions and the Annual Compliance Report and Certification and the Semi-Annual Monitoring Summary Report and Certification. The "Operating Permit Reporting Kit" is available to the Permittee via the Department's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#op>.

a. Annual Compliance Report and Certification

The Responsible Official shall certify, annually for the calendar year, that the facility is in compliance with the requirements of this permit. The report shall be postmarked or delivered by January 30 to MassDEP and to the Regional Administrator, U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status and whether compliance was continuous or intermittent during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
- iv. any additional information required by MassDEP to determine the compliance status of the source.

b. Semi-Annual Monitoring Summary Report and Certification

The Responsible Official shall certify, semi-annually on the calendar year, that the facility is in compliance with the requirements of this permit. The report shall be postmarked or delivered by January 30 and July 30 to MassDEP. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- iv. whether there were any deviations during the reporting period;
- v. if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- vi. whether deviations in the reporting period were previously reported;
- vii. if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- viii. if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
- ix. any additional information required by MassDEP to determine the compliance status of the source.

11. NONCOMPLIANCE

Any noncompliance with a permit condition constitutes a violation of 310 CMR 7.00: Appendix C and the Clean Air Act, and is grounds for enforcement action, for permit termination or revocation, or for denial of an operating permit renewal application by MassDEP and/or EPA. Noncompliance may also be grounds for assessment of administrative or civil penalties under M.G.L. c.21A, §16 and 310 CMR 5.00; and civil penalties under M.G.L. c.111, §142A and 142B. This permit does not relieve the Permittee from the obligation to comply with any other provisions of 310 CMR 7.00 or the Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable federal, state, or local rules and regulations, not addressed in this permit.

12. PERMIT SHIELD

- A. This facility has a permit shield provided that it operates in compliance with the terms and conditions of this permit. Compliance with the terms and conditions of this permit shall be deemed compliance with all applicable requirements specifically identified in Sections 4, 5, 6, and 7, for the emission units as described in the Permittee's application and as identified in this permit.

Where there is a conflict between the terms and conditions of this permit and any earlier approval or permit, the terms and conditions of this permit control.

- B. MassDEP has determined that the Permittee is not currently subject to the requirements listed in Section 4, Table 7.
- C. Nothing in this permit shall alter or affect the following:
- (i) the liability of the source for any violation of applicable requirements prior to or at the time of permit issuance.
 - (ii) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or

(iii) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

13. ENFORCEMENT

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22, 7.70 and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA. Citizens may seek equitable or declaratory relief to enforce these regulations and conditions pursuant to Massachusetts General Law Chapter 214, Section 7A.

All other terms and conditions contained in this permit, including any provisions designed to limit a facility's potential to emit, are enforceable by MassDEP, EPA and citizens as defined under the Act.

A Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

14. PERMIT TERM

This permit shall expire on the date specified on the cover page of this permit, which shall not be later than the date 5 years after issuance of this permit.

Permit expiration terminates the Permittee's right to operate the facility's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

15. PERMIT RENEWAL

Upon MassDEP's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by MassDEP on the renewal application.

In the event MassDEP has not taken final action on the operating permit renewal application prior to this permit's expiration date, this permit shall remain in effect until MassDEP takes final action on the renewal application, provided that a timely and complete renewal application has been submitted in accordance with 310 CMR 7.00: Appendix C(13).

16. REOPENING FOR CAUSE

This permit may be modified, revoked, reopened, and reissued, or terminated for cause by MassDEP and/or EPA. The responsible official of the facility may request that MassDEP terminate the facility's operating permit for cause. MassDEP will reopen and amend this permit in accordance with the conditions and procedures under 310 CMR 7.00: Appendix C(14).

The filing of a request by the Permittee for an operating permit revision, revocation and reissuance, or termination, or a notification of a planned change or anticipated noncompliance does not stay any operating permit condition.

17. DUTY TO PROVIDE INFORMATION

Upon MassDEP's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the Permittee shall furnish to MassDEP copies of records that the Permittee is required to retain by this permit.

18. DUTY TO SUPPLEMENT

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after the date a complete renewal application was submitted but prior to release of a draft permit.

The Permittee shall promptly, on discovery, report to MassDEP a material error or omission in any records, reports, plans, or other documents previously provided to MassDEP.

19. TRANSFER OF OWNERSHIP OR OPERATION

This permit is not transferable by the Permittee unless done in accordance with 310 CMR 7.00: Appendix C(8)(a). A change in ownership or operation control is considered an administrative permit amendment if no other change in the permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between current and new Permittee, has been submitted to MassDEP.

20. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

21. INSPECTION AND ENTRY

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of MassDEP, and EPA to perform the following:

- A. enter upon the Permittee's premises where an operating permit source activity is located or emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
- B. have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- C. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

- D. sample or monitor at reasonable times any substances or parameters for the purpose of assuring compliance with the operating permit or applicable requirements as per 310 CMR 7.00 Appendix C(3)(g)(12).

22. PERMIT AVAILABILITY

The Permittee shall have available at the facility, at all times, a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the permit, including any amendments or attachments thereto, upon request by MassDEP or EPA.

23. SEVERABILITY CLAUSE

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

24. EMERGENCY CONDITIONS

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based¹ emission limitations specified in this permit as a result of an emergency². In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- A. an emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- B. the permitted facility was at the time being properly operated;
- C. during the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and
- D. the Permittee submitted notice of the emergency to MassDEP within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

¹ Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

² An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

If an emergency episode requires immediate notification to the Division of Waste Site Cleanup/Emergency Response, immediate notification to the appropriate parties should be made as required by law.

25. PERMIT DEVIATION

Deviations are instances where any permit condition is violated and not reported as an emergency pursuant to Section 24 of this permit. Reporting a permit deviation is not an affirmative defense for action brought for noncompliance. Any reporting requirements listed in Table 6. of this Operating Permit shall supercede the following deviation reporting requirements, if applicable.

The Permittee shall report to MassDEP's Regional Bureau of Waste Prevention the following deviations from permit requirements, by telephone or fax, within three (3) days of discovery of such deviation:

- Unpermitted pollutant releases, excess emissions or opacity exceedances measured directly by Continuous Emissions Monitors/Continuous Opacity Monitors (CEMS/COMS), by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.
- Exceedances of parameter limits established by your Operating Permit or other approvals, where the parameter limit is identified by the permit or approval as surrogate for an emission limit.
- Exceedances of permit operational limitations directly correlated to excess emissions.
- Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other approvals.
- Failure to perform QA/QC measures as required by your Operating Permit or other approvals for instruments that directly monitor compliance.

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the Massachusetts Department of Environmental Protection Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is available to the Permittee via the Department's web site,

<http://www.mass.gov/dep/air/approvals/aqforms.htm#op>.

This report shall include the deviation, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

Deviations that were reported by telephone or fax within 3 days of discovery, said deviations shall also be submitted in writing to the regional Bureau of Waste Prevention within ten (10) days of discovery. For deviations which do not require 3 day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

26. OPERATIONAL FLEXIBILITY

The permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the permit and in compliance with all applicable requirements provided the permittee gives the EPA and the Department written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(h) and (i). The notice shall comply with the requirements stated at 310 CMR 7.00: Appendix C(7)(a) and will be appended to the facility's permit. The permit shield allowed for at 310 CMR 7.00: Appendix C(12) shall not apply to these changes.

27. MODIFICATIONS

- A. Administrative Amendments - The Permittee may make changes at the facility which are considered administrative amendments pursuant to 310 CMR 7.00: Appendix C(8)(a)1., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(b).
- B. Minor Modifications - The Permittee may make changes at the facility which are considered minor modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)2., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(d).
- C. Significant Modifications - The Permittee may make changes at the facility which are considered significant modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)3., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(c).
- D. No permit revision shall be required, under any approved economic incentives program, marketable permits program, emission trading program and other similar programs or processes, for changes that are provided in this operating permit. A revision to the permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program under Title IV of the Act, provided that such increases do not require an operating permit revision under any other applicable requirement.

28. LEGEND OF ABBREVIATED TERMS IN OPERATING PERMIT

*Not all abbreviations are present in every Operating Permit

< - Less Than
> - Greater Than
#/hr - Pounds Per Hour
10⁶ BTU/hr - 1,000,000 BTU Per Hour
AOS – Alternative Operating Scenario
AQCR - Air Quality Control Region
CEM - Continuous Emission Monitor
CO - Carbon Monoxide
EPA - Environmental Protection Agency
FMF FAC. NO. - Facility Master File Number
FMF RO NO. - Facility Master File Regulated Object Number
FT³/day - Cubic Feet Per Day
HHV - Higher Heating Value
ISO - Represent 59°F, 60% Relative Humidity, 29.92 Inches Mercury At Sea Level
MassDEP - Massachusetts Department of Environmental Protection
MMBTU/hr - Million British Thermal Units Per Hour
NH₃ - Ammonia
NO_x - Nitrogen Oxides
PB - Lead
PLT ID - Plant Identification
PM - Particulate Matter
PPM - Parts Per Million
PTE - Potential To Emit
SO₂ - Sulfur Dioxide
TPY - Tons Per Year
VOC - Volatile Organic Compound

APPEAL CONDITIONS FOR OPERATING PERMIT

This permit is an action of the Department. If you are aggrieved by this action, you may request an adjudicatory hearing within 21 days of issuance of this permit. In addition, any person who participates in any public participation process required by the Federal Clean Air Act, 42 U.S.C. §7401, §502(b)(6) or under 310 CMR 7.00: Appendix C(6), with respect to MassDEP's final action on operating permits governing air emissions, and who has standing to sue with respect to the matter pursuant to federal constitutional law, may initiate an adjudicatory hearing pursuant to Chapter 30A, and may obtain judicial review, pursuant to Chapter 30A, of a final decision therein.

If an adjudicatory hearing is requested, the facility must continue to comply with all existing federal and state applicable requirements to which the facility is currently subject, until a final decision is issued in the case or the appeal is withdrawn. During this period, the application shield shall remain in effect, and the facility shall not be in violation of the Act for operating without a permit.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the permit is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to The Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to:

The Commonwealth of Massachusetts
Department of Environmental Protection
P. O. Box 4062
Boston, MA 02211

The request will be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver as described below.

The filing fee is not required if the appellant is a city or town (or municipal agency) county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

The Department may waive the adjudicatory hearing filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.